

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-6657

In Re: GERAMIE GIBSON,

Petitioner.

On Petition for Writ of Mandamus. (CA-02-207-5)

Submitted: July 29, 2004

Decided: August 5, 2004

Before LUTTIG, MICHAEL, and DUNCAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Geramie Gibson, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Geramie Gibson petitions for writ of mandamus, alleging the district court has unduly delayed acting on his 28 U.S.C. § 2241 (2000) case. He seeks an order from this court directing the district court to act. Although there was a significant delay in the district court, we note that the magistrate judge has recently issued a recommendation in Gibson's § 2241 case, and we are confident that the district court will proceed to a disposition in a timely manner. Accordingly, while we grant Gibson's motion for leave to proceed in forma pauperis, we deny the mandamus petition. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED